

### Court Has Jurisdiction Over Parents and May:

1. Hold parent in contempt
2. Order parent to
  - participate in juvenile's treatment
  - obtain treatment
  - attend parenting classes
  - pay child support and attorney fees



### Variety of Age Distinctions

- 6 youngest age of jurisdiction
- 10 youngest age for some fingerprinting, photographs, and commitment to YDC
- 13 probable cause required; transfer possible
- 14 youngest age to waive right to have parent present during interrogation
- 16 treated as adult for criminal conduct
- 18 max. jurisdiction for less than E felony
- 19 max. jurisdiction for B-E felonies
- 21 max. jurisdiction for most serious felonies

### Treatment of Juveniles in Early America

- For the most part, children were treated just like adults.
- Use of incarceration became favored over execution and other punishments.
- Prisoners were not classified.
- Concerns re housing children with older serious offenders.
- Governors often pardoned young offenders.



### First special attention to juveniles was in relation to corrections, not judicial practices.

- Houses of refuge
- Apprenticeship
- Attempts to "save" children through rehabilitation and discipline
- Creation of larger industrial and reform schools
- Continued use of adult prisons



### In N.C., concerns resulted in 1907 legislation authorizing **Stonewall Jackson Manual Training and Industrial School**

- Youth were still tried in criminal court
- Judge could commit those under 16 for indefinite period of time



### Early judicial practices followed English common law:

- Up to Age 7 – Conclusive presumption that child incapable of criminal intent
- Age 7 to 14 – Rebuttable presumption that child incapable of criminal intent
- Over Age 14 – Always prosecuted and punished as adult

